IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 25TH AUGUST 2006 / 3RD BHADRA 1928

Bail Appl..No. 5261 of 2006

CMP.728/2006 of J.M.F.C.-II, CHENGANNUR
CRIME NO. 105/2006 OF EXCISE RANGE, CHENGANNUR

.....

PETITIONER/ACCUSED

SANTHOSH @ KOCHUMON, S/O.KUTTAPPAN,
PLANTHARAYIL VEEDU, EDAVANAKKADU MURI,
PULIYOOR VILLAGE, CHENGANNUR.

BY ADV. SRI.R.VINOD

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5261/2006

DATED THIS THE 25TH DAY OF AUGUST, 2006

O R D E R

The petitioner was arrested on 23.6.2006, by the Inspector of Chengannur Excise Range, and registered C.R.No.105/2006 of that Excise Range, under Section 8(1) & (2) of the Abkari Act, as he was found in illegal possession of ten liters of illicit arrack, on that day. Hence this application under Section 439 Cr.P.C.

2. When the application came up for consideration, the learned Public Prosecutor submitted that there are also other cases registered against the petitioner, under the Abkari Act.

3. After hearing both sides and considering that he is in judicial custody, for the last sixty days. I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond

for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-II, Chengannur.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Thursday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 31.8.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs